

**SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM**

CONTINUED FROM MARCH 29, 2004 REGULAR MEETING

SUBJECT: REQUEST FOR 1) REAR YARD SETBACK VARIANCE FROM 30 FEET TO 0 FEET AND; 2) SIDE YARD SETBACK VARIANCE FROM 7.5 FEET TO 0 FEET FOR AN EXISTING SHED IN THE R-1A (SINGLE FAMILY DWELLING DISTRICT); (JODY KRAMPE, APPLICANT).

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Earnest McDonald **CONTACT:** Rich Steiger **EXT.** 7936

Agenda Date 04-26-04 **Regular** ☐ **Consent** ☐ **Public Hearing – 6:00** ☒

MOTION/RECOMMENDATION:

1. **APPROVE** THE REQUEST FOR 1) REAR YARD SETBACK VARIANCE FROM 30 FEET TO 0 AND; 2) SIDE YARD SETBACK VARIANCE FROM 7.5 FEET TO 0 FEET FOR AN EXISTING SHED IN THE R-1A (SINGLE FAMILY DWELLING DISTRICT); (JODY KRAMPE, APPLICANT); OR
2. **DENY** THE REQUEST FOR 1) REAR YARD SETBACK VARIANCE FROM 30 FEET TO 0 AND; 2) SIDE YARD SETBACK VARIANCE FROM 7.5 FEET TO 0 FEET FOR AN EXISTING SHED IN THE R-1A (SINGLE FAMILY DWELLING DISTRICT); (JODY KRAMPE, APPLICANT).
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	<p>APPLICANT: JODY KRAMPE</p> <p>LOCATION: 5135 LAKE HOWELL DRIVE</p> <p>ZONING: R-1A (SINGLE FAMILY DWELLING DISTRICT)</p>
BACKGROUND/ REQUEST	<ul style="list-style-type: none"> • THE APPLICANT CONSTRUCTED A 440 SF (44 X 10) ACCESSORY STRUCTURE WITHOUT A BUILDING PERMIT; A NOTICE OF VIOLATION FROM THE SEMINOLE COUNTY BUILDING DIVISION WAS SUBSEQUENTLY ISSUED. • THE UNPERMITTED STRUCTURE ENCROACHES 30 FEET INTO THE MINIMUM REAR YARD SETBACK AND 7.5 FEET INTO THE MINIMUM SIDE YARD SETBACK. • THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY
STAFF FINDINGS	<ul style="list-style-type: none"> • THE APPLICANT HAS FAILED TO DEMONSTRATE A

	<p>HARDSHIP, BASED ON THE STANDARDS FOR GRANTING VARIANCES.</p> <ul style="list-style-type: none">• THE REQUESTED VARIANCES ARE NOT THE MINIMUM THAT WOULD ENSURE REASONABLE USE OF THE PROPERTY. THE OPPORTUNITY EXISTS TO RELOCATE THE STRUCTURE TO COMPLY WITH THE SIDE AND REAR YARD SETBACKS.• THE REQUEST WOULD CONFER ON THE APPLICANT SPECIAL PRIVILEGES THAT WOULD BE DENIED TO OTHER PROPERTIES IN THE TANGLEWOOD SUBDIVISION, BY ALLOWING ENCROACHMENT INTO THE REAR AND SIDE YARDS WITHOUT THE DEMONSTRATION OF A SPECIAL CIRCUMSTANCE OR HARDSHIP.
STAFF RECOMMENDATION	<p>STAFF RECOMMENDS THE BOARD OF ADJUSTMENT DENY THE VARIANCE REQUEST UNLESS THE APPLICANT CAN DEMONSTRATE A HARDSHIP. IF THE BOARD SHOULD DECIDE TO GRANT A VARIANCE, STAFF RECOMMENDS THE FOLLOWING CONDITIONS:</p> <ul style="list-style-type: none">• ANY VARIANCE GRANTED SHOULD APPLY ONLY TO THE EXISTING SHED, AS DEPICTED ON THE ATTACHED SITE PLAN;• THE 5 FT UTILITY EASEMENT TO THE REAR OF THE SUBJECT PROPERTY SHALL BE VACATED;• A DRAINAGE SYSTEM SHALL BE INSTALLED ON THE ROOF OF THE EXISTING SHED TO PREVENT THE IMPACTS OF RUNOFF TO THE ADJOINING PROPERTY TO THE NORTH AND WEST; AND• ANY ADDITIONAL CONDITION(S) DEEMED APPROPRIATE BY THE BOARD, BASED ON INFORMATION PRESENTED AT THE PUBLIC HEARING.



COPY

APPLICATION TO THE SEMINOLE COUNTY BOARD OF ADJUSTMENT

Applications to the Seminole County Board of Adjustment shall include all applicable items listed in the Board of Adjustment Process Checklist. No application will be scheduled for Board of Adjustment consideration until a complete application (including all information requested below) has been received by the Planning & Development Department, Planning Division.

APPLICATION TYPE:

☒ **VARIANCE** RY SETBACK VARIANCE FROM 30' TO 0' FOR EXISTING SHED

☐ **SPECIAL EXCEPTION**

☐ **MOBILE HOME SPECIAL EXCEPTION**

☐ EXISTING ☐ PROPOSED ☐ REPLACEMENT

MOBILE HOME IS FOR

YEAR OF MOBILE HOME SIZE OF MOBILE HOME

ANTICIPATED TIME MOBILE HOME IS NEEDED

PLAN TO BUILD ☐ YES ☐ NO IF SO, WHEN

MEDICAL HARDSHIP ☐ YES (LETTER FROM DOCTOR REQUIRED) ☐ NO

☐ **APPEAL FROM DECISION OF THE PLANNING MANAGER**

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME	JODY KRAMPE (JODY WRAGE)	
ADDRESS	5135 LK. HAWELL RD	
	WINTER PARK FL 32792	
PHONE 1	407 679 1244 - H	
PHONE 2	407-491-1753	
E-MAIL	JKrampe@cfl.rr.com	

PROJECT NAME: -

SITE ADDRESS: 5135 LAKE HAWELL RD WINTER PARK

CURRENT USE OF PROPERTY: RESIDENTIAL

LEGAL DESCRIPTION: LEG LOT 18 BLK F TANGLEWOOD SEC
REPLAT PB10 PG 39 PAD: 5135 LAKE HAWELL RD

SIZE OF PROPERTY: 1/4 acre(s) PARCEL I.D. 33 21 30 505 OF00-01

UTILITIES: ☒ WATER ☐ WELL ☒ SEWER ☐ SEPTIC TANK ☐ OTHER

KNOWN CODE ENFORCEMENT VIOLATIONS FILE # 03 6016

IS PROPERTY ACCESSIBLE FOR INSPECTION ☒ YES ☐ NO

This request will be considered at the Board of Adjustment regular meeting on MAR. 29 6 P.M.
(mo/day/yr), in the Board Chambers (Room 1028) at 6:00 p.m. on the first floor of the Seminole County Services Building, located at 1101 East First Street in downtown Sanford, FL.

I hereby affirm that all statements, proposals, and/or plans submitted with or contained within this application are true and correct to the best of my knowledge.

[Signature]
SIGNATURE OF OWNER OR AGENT*

2/4/04
DATE

* Proof of owner's authorization is required with submittal if signed by agent.

ADDITIONAL VARIANCES

VARIANCE 2:

SY (NE) SETBACK VARIANCE FROM 7.5' to 0' FOR EXISTING SHED.

VARIANCE 3:

VARIANCE 4:

VARIANCE 5:

VARIANCE 6:

VARIANCE 7:

VARIANCE 8:

APPEAL FROM BOA DECISION TO BCC

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME		
ADDRESS		
PHONE 1		
PHONE 2		
E-MAIL		

NATURE OF THE APPEAL

SIGNATURE

BCC PUBLIC HEARING DATE

FOR OFFICE USE ONLY

PROCESSING:

FEE: 200 COMMISSION DISTRICT 4 FLU/ZONING LDR/R-1A

LOCATION FURTHER DESCRIBED AS LOCATED ON THE WESTERN SIDE OF LK HOWELL RD. APPROX. 1,000 FT. NORTH FROM THE INTERSECTION WITH INTERLACHAN CT.

PLANNER VB DATE 02/04/04

SUFFICIENCY COMMENTS * SHED IS OVER 200 SQ FT.

was advised smaller shed was also encroaching on side setback

Legal Description

Lot 18, Block F, TANGLEWOOD SECTION THREE
REPLAT, according to the Plat thereof, as recorded in
Plat Book 10, Pages 39-40, of the Public Records of
Seminole County, Florida.

Community Number: 120289 Panel: 0210

Suffix: E F.I.R.M. Date: 4/17/1995 Flood Zone: X
Field Work: 11/20/2002 Completed: 11/21/2002

Certified To:

Jody Lynn Krampe; Greater Florida Title Company;
American Pioneer Title Insurance Company; Capital
Commerce Mortgage Company, its successors and/or
assigns.

C-1 (P.)
Δ = 03°58'24"
R = 1081.54'
L = 75.00'
C = 74.99'
CB = S31°00'42"W

C-1 (M.)
Δ = 03°58'48"
R = 1081.54'
L = 75.13'
C = 75.11'
CB = S31°00'42"W

C-2 (P.)
Δ = 05°01'15"
R = 1213.31'
L = 106.32'
C = 106.29'
CB = N31°32'16"E

C-2 (M.)
Δ = 05°01'15"
R = 1213.31'
L = 106.32'
C = 106.29'
CB = N31°32'16"E

C-3 (P.)
Δ = 11°55'11"
R = 1081.54'
L = 225.00'
C = 224.59'
CB = S23°03'55"W

C-3 (M.)
Δ = 11°58'47"
R = 1081.54'
L = 226.14'
C = 225.72'
CB = S22°58'14"W

Property Address:
5135 Lake Howell Road
Winter Park, Florida 32792

Survey Number: O-104799

BOUNDARY SURVEY

LEGEND

WOOD FENCE	Δ	CENTRAL ANGLE OR DATA
WIRE FENCE	D.B.	DEED BOOK
P.N.	D	DESCRIPTION OR DEED
PROPERTY CORNER	D.H.	DEED ROLE
FIELD MEASURED	D.W.	DRIVEWAY
CALCULATED	ESHT	EASEMENT
ELEVATION	L.A.E.	LANDSCAPE MAINTENANCE EASEMENT
ENCROACHMENT	F.F.	FINISHED FLOOR
CENTERLINE	F.C.M.	FOUND CONCRETE MONUMENT
CONCRETE	F.P.K.	FOUND PARKER KAL ON NAIL
PROPERTY LINE	L	LENGTH
CONCRETE MONUMENT	L.A.E.	LIMITED ACCESS EASEMENT
FOUND IRON ROD	M.H.	MANHOLE
FOUND IRON PIPE	N.T.S.	NOT TO SCALE
RIGHT OF WAY	O.R.	OFFICIAL RECORDS
NAIL & DISC	O.R.B.	OFFICIAL RECORDS BOOK
DRAINAGE EASEMENT	P.C.P.	PERMANENT CONTROL POINT
UTILITY EASEMENT	P.R.M.	PERMANENT REFERENCE MONUMENT
FOUND	P.O.	PAGE
ASPHALT	P.V.M.	PAVEMENT
OVERHEAD LINES	P.B.	PLAT BOOK
POWER POLE	P.O.B.	POINT OF BEGINNING
TRANSFORMER	P.O.L.	POINT OF COMMENCEMENT
CABLE ROSS	P.O.L.	POINT ON LINE
WATER METER	P.C.	POINT OF CURVATURE
TELEPHONE FACILITIES	P.C.C.	POINT OF COMPOUND CURVATURE
COVERED AREA	P.C.	POINT OF REVERSE CURVE
BEARING REFERENCE	P.T.	POINT OF TANGENCY
CHORD	R	RADIUS (RADIUS)
RADIAL TIE	R.O.E.	ROCK OVERLAPPING EASEMENT
NON RADIAL	S.I.R.	SET BACK & GAP
ARM CONDUIT POWER	S.W.	SIDEWALK
BECH MARK	T.B.M.	TEMPORARY BENCH MARK
CATCH BASIN	T.O.B.	TOP OF BANK
CALCULATED	TYP.	TYPICAL
WELL	W.C.	WITNESS CORNER
CONC. BLOCK WALL TYP.	E.O.W.	EDGE OF WATER
	WOOD DECK	
	EXISTING ELEVATION	

GENERAL NOTES:

- LEGAL DESCRIPTION PROVIDED BY OTHERS
- THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PLAT.
- UNDERGROUND PORTIONS OF FOOTINGS, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED.
- WALL TIES ARE TO THE FACE OF THE WALL AND ARE NOT TO BE USED TO RECONSTRUCT BOUNDARY LINES.
- NOT VALID WITHOUT THE SIGNATURE & ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- ONLY VISIBLE ENCROACHMENTS LOCATED.
- NO IDENTIFICATION FOUND ON PROPERTY CORNERS UNLESS NOTED.
- DIMENSIONS SHOWN ARE PLAT AND MEASURED UNLESS OTHERWISE SHOWN.
- FENCE OWNERSHIP NOT DETERMINED.
- ELEVATIONS IF SHOWN ARE BASED UPON N.G.V.D. UNLESS OTHERWISE NOTED.
- BEARINGS REFERENCED TO LINE NOTED AS B.R.
- THIS SURVEY DEPICTED HERE FORMS A CLOSED GEOMETRIC FIGURE.
- NO UNDERGROUND IMPROVEMENTS OR VISIBLE INSTALLATIONS HAVE BEEN LOCATED OTHER THAN SHOWN.

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION.

SIGNED: CARL MICHAEL SMITH LAND SURVEYOR & MAPPER NO. 3102
SIGNED: AT ROBERTS LAND SURVEYOR & MAPPER NO. 3114
SIGNED: LAND SURVEYOR & MAPPER NO. 3104

THIS SURVEY IS INTENDED FOR MONITORING OR REFERENCE PURPOSES ONLY. EXCLUSIVELY FOR THIS USE BY THOSE TO WHOM IT IS CERTIFIED, THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION, PERMITTING, DESIGN OR ANY OTHER USE WITHOUT THE WRITTEN CONSENT OF FIRST FINANCIAL SURVEYORS, INC.


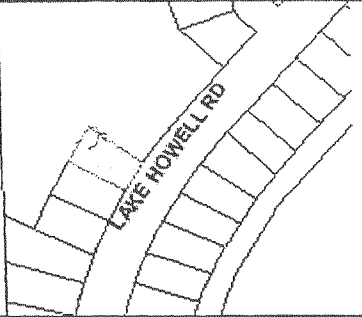

First Financial Surveyors, Inc.
And Affiliated Companies

CENTRAL FLORIDA
365 Auld Avenue
Orlando, Florida 32838
(407) 777-7770 Fax (407) 977-7220

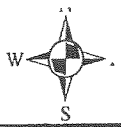
SOUTH FLORIDA
5401 Taylor Road Unit 102
Maitland, Florida 32751
(239) 593-5500 Fax (239) 593-5502

HAPLES DIVISION
VOICE 1-888-343-0376
FAX 1-888-343-0376

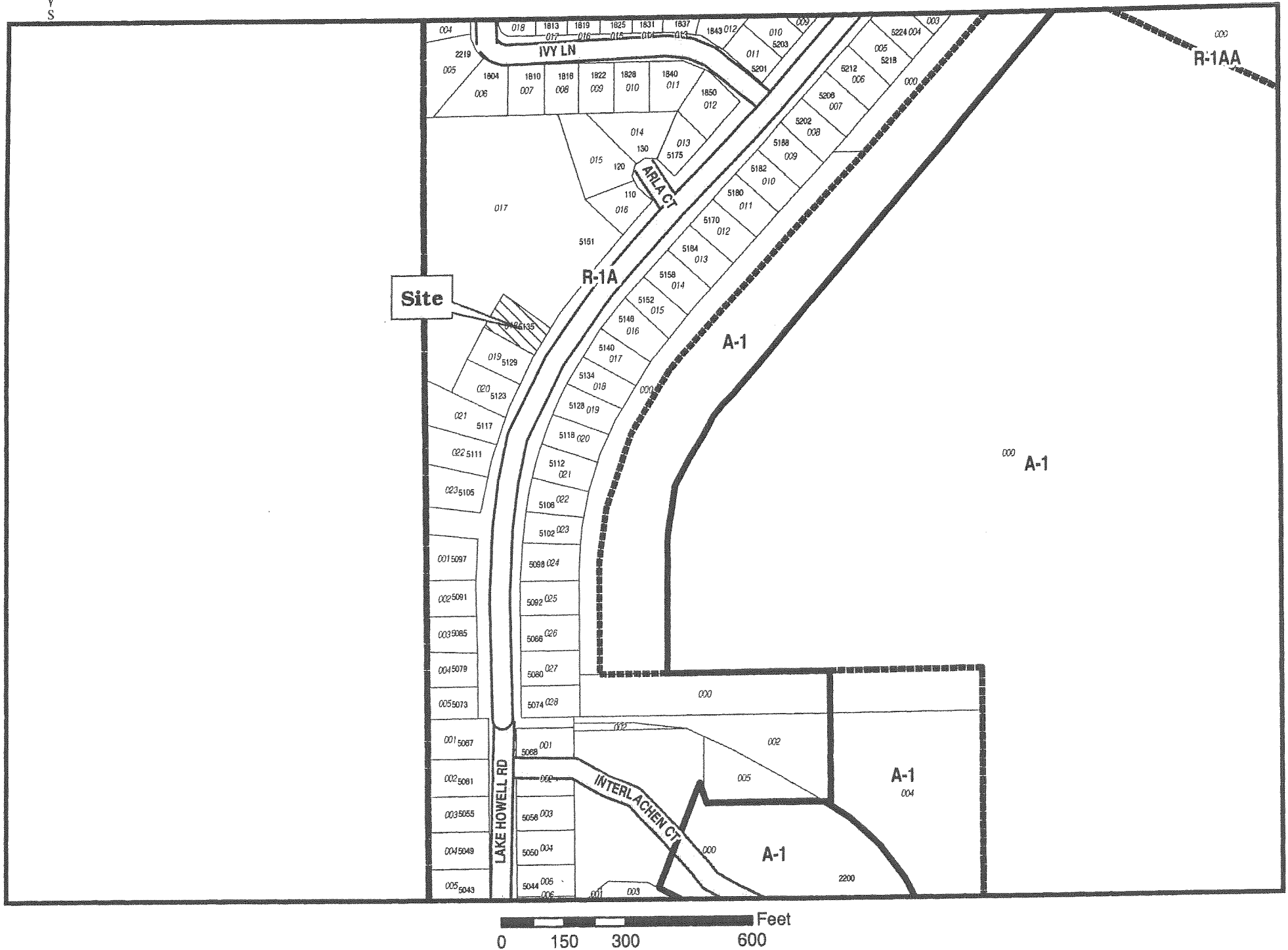
MIAMI DIVISION
VOICE 1-877-277-7441

PARCEL DETAIL	REAL ESTATE	PERSONAL PROP.	TAX ROLL	SALES SEARCH	◀ ◻ Back ▶ ▶																																																																																										
 <p>Seminole County Property Appraiser Services 1101 E. First St. Sasford FL 32771 407-665-7506</p>	 <p>LAKE HOWELL RD</p>																																																																																														
<p style="text-align: center;">GENERAL</p> <p>Parcel Id: 33-21-30-505-0F00-0180 Tax District: 01-TX DIST 1 - COUNTY</p> <p>Owner: WRAGE JODY Exemptions: 00-HOMESTEAD</p> <p>Address: 5135 LAKE HOWELL RD</p> <p>City,State,ZipCode: WINTER PARK FL 32792</p> <p>Property Address: 5135 LAKE HOWELL RD WINTER PARK 32792</p> <p>Subdivision Name: TANGLEWOOD SEC 3 REPLAT</p> <p>Dor: 01-SINGLE FAMILY</p>			<p style="text-align: center;">2004 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$142,852</p> <p>Depreciated EXFT Value: \$9,265</p> <p>Land Value (Market): \$19,000</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$171,117</p> <p>Assessed Value (SOH): \$126,352</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$101,352</p>																																																																																												
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<p>NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.</p> <p>*** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.</p>																																																																																															

R-1A
LDR



Jody Kramppe 5135 Lake Howell Road



NOTICE OF CODE VIOLATION

LOCATION OF VIOLATION: 5135 LAKE HOWELL RD.
(WINTER PARK) TANGLEWOOD

IN ACCORDANCE WITH SEMINOLE COUNTY CODES YOU ARE HEREBY NOTIFIED THAT THE ABOVE DESCRIBED PROPERTY IS IN VIOLATION OF Florida Building Code CHAPTER/ARTICLE CH. 1 SECTION 303.3.

DESCRIPTION OF VIOLATION: Constructed Building and
Other structure in BACK of HOUSE without
Permits.

CORRECTIVE ACTION: OBTAIN All PROPER PERMITS AND
Schedule All REQUIRED INSPECTIONS.

THE ABOVE CORRECTIVE MEASURES MUST BE TAKEN BY 6-26-03. FAILURE TO CORRECT THE ABOVE VIOLATION WILL RESULT IN THE MATTER BEING TURNED OVER TO THE CODE ENFORCEMENT BOARD FOR FURTHER ACTION. THE CODE ENFORCEMENT BOARD HAS THE POWER TO LEVY FINES UP TO \$250.00 A DAY FOR EVERY DAY THE VIOLATION EXISTS.

☐ IF CHECKED, A LICENSE REVOCATION HEARING WILL BE SCHEDULED FOR APPLICABLE CONTRACTOR VIOLATIONS.

IF YOU DESIRE FURTHER INFORMATION CONTACT:

Tom Helle
407-665-7338

PLANNING AND DEVELOPMENT DEPARTMENT
SEMINOLE COUNTY SERVICES BUILDING
1101 EAST FIRST STREET
SANFORD, FLORIDA 32771
PHONE: ██████-1130 EXTENSION 7050

DATE 6-17-03 665

FILE NO. 03-6010

TASON RUCKER 407-665-7472
INSPECTOR

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On April 26, 2004, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 18 BLK F TANGLEWOOD SEC 3 REPLAT PB 10 PG 39

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owner: JODY KRAMPE
5135 LAKE HOWELL DRIVE
WINTER PARK, FL 32792

Project Name: LAKE HOWELL DRIVE (5135)

Requested Development Approval:

- 1) REAR YARD SETBACK VARIANCE FROM 30 FEET TO 0 FEET; AND
- 2) SIDE YARD SETBACK VARIANCE FROM 7.5 FEET TO 0 FEET FOR AN EXISTING SHED AS DEPICTED ON THE ATTACHED SITE PLAN

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Rich Steiger, Planner
1101 East First Street
Sanford, Florida 32771

Order

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

(1) The aforementioned application for development approval is **GRANTED**.

(2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.

(3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:

- a) The variance granted shall apply only to the existing building as shown on the attached site plan;
- b) The 5 foot utility easement to the rear of the subject property shall be vacated; and
- c) A drainage system shall be installed on the roof of the existing shed to prevent the impacts of runoff to the adjoining property to the north and west.

(4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

(5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: _____
Matthew West
Planning Manager

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared _____ who is personally known to me or who has produced _____ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2004.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: